

**NOT FOR PUBLICATION****UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

JOSE NEGRETE,	:	
	:	
Plaintiff,	:	Civ. No. 19-18480 (GC) (DEA)
	:	
v.	:	
	:	
STATE OF NEW JERSEY, et al.,	:	<b>MEMORANDUM &amp; ORDER</b>
	:	
Defendants.	:	

**CASTNER, District Judge**

Plaintiff, Jose Negrete (“Plaintiff” or “Negrete”), is a state prisoner currently incarcerated at the New Jersey State Prison in Trenton, New Jersey. He is proceeding with a civil rights Complaint filed pursuant to 42 U.S.C. § 1983. Previously, this Court denied in part Defendants’ Motion for Summary Judgment. (*See* ECF 39 & 40). Subsequently, Magistrate Judge Arpert appointed pro bono counsel to represent Plaintiff for the purposes of trial preparation and presentation. (*See* ECF 43). Presently pending before this Court is Negrete’s application to proceed *in forma pauperis*. (*See* ECF 47). For the following reasons, Plaintiff’s *in forma pauperis* application is denied without prejudice.

A prisoner who seeks to bring a civil action *in forma pauperis* must submit an affidavit, including a statement of all assets, which states that the prisoner is unable to pay the applicable filing fee. *See* 28 U.S.C. § 1915(a)(1). The prisoner must also submit a certified copy of his inmate trust fund account statement for the six-month period immediately preceding the filing of his complaint. *See id.* § 1915(a)(2). The prisoner must obtain this statement from the appropriate official of each prison at which he was or is confined. *See id.*; *see also* L. Civ. R. 81.2(b)

(“Whenever a Federal, State, or local prisoner submits a civil rights complaint . . . the prisoner shall also submit an affidavit setting forth information which establishes that the prisoner is unable to pay the fees and costs of the proceedings and shall further submit a certification signed by an authorized officer of the institution certifying (1) the amount presently on deposit in the prisoner’s prison account and, (2) the greatest amount on deposit in the prisoner’s prison account during the six-month period prior to the date of the certification.”).

Plaintiff’s *in forma pauperis* application is incomplete such that it will be denied without prejudice. Indeed, Plaintiff does not include the required certified prisoner account statement.

Accordingly, IT IS on this 15<sup>th</sup> day of August, 2023,

ORDERED that Plaintiff’s *in forma pauperis* application (ECF 47) is denied without prejudice; and it is further

ORDERED that the Clerk shall serve this Memorandum and Order on Plaintiff by regular U.S. mail.

  
GEORGETTE CASTNER  
United States District Judge